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Paper No. 13

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APR 24 2003

OFFICE OF PETITIONS

In re Application of  
Yuri Bolotinsky, et. al.  
Application No. 09/830,468  
Filed: June 11, 2001  
Attorney Docket No. 1811.65458

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 15, 2003, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Restriction mailed August 1, 2002, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight September 1, 2002.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is not a correct interpretation of the statement contained in the instant petition.

The petition is **GRANTED**.

The application is being forwarded to Technology Center 2800.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (703) 308-6711.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy